

**Amendment to and Listing of the Claims**

Please amend claim 1 as follows:

1. (Currently amended) A diskectomy instrument comprising:
  - a) an elongate body having a distal end and a proximal end, the elongate body having a blade opening proximate the distal end;
  - b) a blade movably mounted at least partially within the elongate body proximate the blade opening, the blade having a distal end, a proximal end, at least one sharp edge extending at least partially between the distal end and the proximal end, a ramped portion and a stem mating portion; and
  - c) a drive stem movably mounted within the elongate body having a distal end, a proximal end and a blade mating portion, the drive stem being configured to slidably engage the blade when the drive stem is moved distally thereby extending the blade radially outward ~~though~~ through the blade opening and extending the at least one sharp edge toward a radial cutting direction of the diskectomy instrument relative to a longitudinal axis of the diskectomy instrument and the blade mating portion being configured to cooperatively engage the stem mating portion of the blade when the drive stem is moved proximally thereby retracting the blade.
2. (Original) The diskectomy instrument of claim 1, further comprising an actuator coupled to the proximal end of the drive stem to effectuate proximal and distal movement of the drive stem linearly within the elongate body.
3. (Original) The diskectomy instrument of claim 2, wherein the actuator is a positioner configured so that operating the positioner in a first direction causes the drive stem to move distally and operating the positioner in a second direction causes the drive stem to move proximally.

4. (Original) The diskectomy instrument of claim 3, wherein the positioner includes incremental indication marks which generally correspond to the radial position of the blade relative to the elongate body.

5. (Original) The diskectomy instrument of claim 2, further comprising a positioner to the actuator wherein operating the positioner in a first direction causes the drive stem to move distally and operating the positioner in a second direction causes the drive stem to move proximally.

6. (Original) The diskectomy instrument of claim 5, wherein the positioner includes incremental indication marks which generally correspond to the radial position of the blade relative to the elongate body.

7. (Original) The diskectomy instrument of claim 2, further comprising a blade rotation control mechanism coupled to the blade wherein operating the blade rotation control mechanism causes the at least one blade to rotate in a cutting direction.

8. (Original) The diskectomy instrument of claim 1, wherein the diskectomy instrument is disposable.